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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/870,386	05/29/2001	Anke Bodicker	739-X01-003	7495
27317	7590	12/13/2004	EXAMINER	
FLEIT KAIN GIBBONS GUTMAN & BONGINI COURVOISIER CENTRE II, SUITE 404 601 BRICKELL KEY DRIVE MIAMI, FL 33131			LU, TOM Y	
			ART UNIT	PAPER NUMBER
			2621	8

DATE MAILED: 12/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/870,386

Applicant(s)

BODICKER ET AL.

Examiner

Tom Y Lu

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 17-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 17-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. The amendment and written response filed on September 15, 2004 has been entered.
2. Claims 1-16 are cancelled.
3. Claims 17-39 are newly added.
4. Claims 17-39 are pending.

### ***Response to Arguments***

5. Applicant's arguments, see Remarks page 9, filed on September 15, 2004, with respect to the rejection(s) of claim(s) 1 under 35 U.S.C. 102 (b) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Hilton et al (U.S. Patent No. 5,452,416) and Courter et al ("Mastering Microsoft Office 2000 Professional Edition", Copyrighted 1999, ISBN 0-7821-2313-9).

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 37 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The examiner does not understand the essence of the claim language. Please explain.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 17, 22-25, 30-34 and 36-38 are rejected under 35 U.S.C. 102(b) as being anticipated by Hilton et al (U.S. Patent No. 5,452,416).

- a. Referring to Claim 17, Hilton discloses storing a multiplicity of medical cases all of which contain a group of images of a particular portion of a patient's anatomy, the views of the images of all groups being the same (Hilton discloses image database 23 as shown in figure 2, stores a multiplicity of medical cases all of which contain a group of images as shown in figure 3, about a particular portion of a patient's anatomy, brain, the views of the images of all groups being the same of "cross-sectional", column 4, line 46. Note different series means difference case); establishing a common workflow for all medical cases (as seen in figure 6, the common workflow are the presentation areas as shown in figure 4, which continuously display sequences of images from 1 to n), for viewing by a user, of an ordered sequence of preselected specified images derived from the stored group of images of each said medical case that is representative of the particular portion of a patient's anatomy being screened (images as indicated in figure 6, images 1 to n are the claimed "preselected specified images"; the ordered sequence for viewing is from 1 to n, see figure 3, also 7, lines 25-26), the

specification of said specified preselected images being the same for all medical cases with all specified images being viewed in the same order (the format specification as shown in figure 6 is the same for all specified images being viewed in the sequence order); coupling a user interface to the workflow whereby a user can control stepping through the ordered sequence of preselected specified images for viewing one by one (column 10, line 38, user interface 14a); preprogramming the common workflow to establish said ordered sequence of said preselected specified images derived from the stored images of each medical case (column 7, lines 24-26); displaying, for viewing by a user, each ordered sequence of said preselected specified images derived from the stored images of each said medical case, in order, one after the other (see figure 4 for the claimed “displaying”, and the images are shown one by another continuously, column 7, line 47-50); and controlling the stepping through ordered sequence of said preselected specified images derived from the stored images of each medical case by a user initiating only a single action input to move the workflow from each present step of viewing the current specified image to each next step of the ordered sequence to view the next succeeding specified image (the stepping is controlled by clicking on the “series” mode, and the image will start playing one at a time continuously, column 7, lines 34-50).

- b. Referring to Claim 22, Hilton discloses including the further step of highlighting an image being viewed by a graphical input tool included in the user interface

(Hilton teaches by clicking on the control button in the user interface 14a, the button is highlighted).

- c. Referring to Claim 23, Hilton discloses including the further step of entering and storing annotation for one of a medical case or an image being viewed (see control panel in figure 4 for annotation tools, and column 17, for image annotation section for details of entering and storing).
- d. Referring to Claim 24, Hilton discloses including the further step of maintaining a stack of medical cases in the workflow (the workflow of image cases are maintained in image database 23 in figure 2).
- e. Referring to Claim 36, Hilton discloses including the further steps of storing the preprogrammed ordered sequences and a user ID (see figure 6).
- f. Referring to Claim 37, Hilton discloses including the further step of initialing via the user interface one of editing the preprogramming of the ordered sequence and moving to the next medical case for viewing (“change series” in control panel, figure 4).
- g. Referring to Claim 38, Hilton discloses providing an indication of which medical case and which specified image of the ordered sequence of said preselected specified images being currently viewed by a user (see figure 14b-d, the indications are provided in area 2).
- h. With regard to Claim 25, see explanation in Claim 17.
- i. With regard to Claim 30, see explanation in Claim 22.
- j. With regard to Claim 31, see explanation in Claim 23.

- k. With regard to Claim 32, see explanation in Claim 24.
- l. With regard to Claim 33, see explanation in Claim 37.
- m. With regard to Claim 34, see explanation in Claim 38.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 17-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Courter et al ("Mastering Microsoft Office 2000 Professional Edition", Copyrighted 1999, ISBN 0-7821-2313-9) in view of Hilton et al (U.S. Patent No. 5,452,416).

- a. Referring to Claim 17, Courter teaches storing a group of images, and the views of the images of all groups being the same (see figure 13.5 on page 301, a group of slides are created and stored in memory; the slide images all have same 2 dimensional views); establishing a common workflow for all images, for viewing by a user, of an ordered sequence of preselected specified images derived from the stored group of images (see figure 13.5 on page 301, a group of preselected specified images, the slide images, are sorted in an order according to the user; the working area is the claimed "common working common flow"), the specification of said specified preselected images being the same with all specified images being viewed in the same order (the specification of the slide images are the same because the specification herein is interpreted as slide dimensions); coupling a

user interface to the workflow whereby a user can control stepping through the ordered sequence of preselected specified images for viewing one by one (see figure 13.5 on page 301, for user interface; once the slide show is launched, the slides are controlled through the mouse click or key board, and the slides are presented one by one); preprogramming the common workflow to establish said ordered sequence of said preselected specified images derived from the stored images (slide sorter mentioned on page 301 is used to preprogram the common workflow to arrange and select the order of the slides going to present, all of the miniature slide images as shown in figure 13.5 are derived from stored image slides); displaying, for viewing by a user, each ordered sequence of said preselected specified images derived from the stored images, in order, one after the other (see figure 13.1, a slide is in presentation, and the slide show is continued by mouse clicking or keyboard entering to go from one slide to the next; note the sequences herein are the rows shown in figure 13.5); and controlling the stepping through the ordered sequence of said preselected specified images derived from the stored images by a user initiating only a single action input to move the workflow from each present step of viewing the current specified image to each next step of the ordered sequence to view the next succeeding specified image (as explained above the slide presentation is controlled by mouse clicking or key entering from the keyboard to move one slide to the next). However, Courter does not explicitly teach the slide images are images from a multiplicity of medical cases of all which contain a group of



images of a particular portion of a patient's anatomy. Hilton teaches displaying cross-sectional anatomical feature, such as a human brain, see figure 4, with different series as the claimed different "cases". At the time the invention was made, a person of ordinary skill in the art would have been motivated to paste the medical images in Hilton in Courter's PowerPoint presentation program for displaying purpose because the purpose of PowerPoint presentation program is to present a slide show, which all slides are created as images, and the medical images in Hilton can be easily pasted on a blank slide to create a presentation slide; and it is also Hilton's purpose to display medical images as a slide show.

- b. Referring to Claim 18, the combination of Courter and Hilton teaches providing the user interface with a set of icons indicative of images derivable from the group of stored images of each medical case, and effecting the preprogramming step by the user selecting a sub-set of icons to specify the ordered sequence of preselected specified images (Courter on page 301, explains the slide sorter can be used to select and arrange the miniature slide images, which slide images that are not deleted from the slide sorter view is considered "preselected specified images").
- c. Referring to Claim 19, the combination of Courter and Hilton teaches wherein each icon of the set of icons specifies an image view (see figure 13.5 on page 301).
- d. Referring to Claim 20, the combination of Courter and Hilton teaches providing a screen coupled to the user interface, displaying the set of icons on the screen, providing on the screen a sequence bar, and carrying out the preprogramming step

by drag-and-drop of the icons on the sequence bar (the miniature slide images are arranged in an order using drag-and-drop, see page 301).

- e. Referring to Claim 21, the combination of Courter and Hilton teaches wherein the single action input is affected by pressing a key (the slide show is continued by present a key on the keyboard to move from one slide to the next).
- f. Referring to Claim 22, the combination of Courter and Hilton teaches highlighting an image being viewed by a graphical input tool included in the user interface (see figure 13.5 on page 301, the first miniature slide is highlighted with borders).
- g. Referring to Claim 23, the combination of Courter and Hilton teaches entering and storing an annotation for one of an image being viewed (see figure 13.6 on page 302).
- h. Referring to Claim 24, the combination of Courter and Hilton teaches maintaining a stack of medical cases in the workflow (see figure 13.5 a stack of images are maintained).
- i. With regard to Claim 25, see explanation in Claim 17.
- j. With regard to Claim 26, see explanation in Claim 18.
- k. With regard to Claim 27, see explanation in Claim 19.
- l. With regard to Claim 28, see explanation in Claim 20.
- m. With regard to Claim 29, see explanation in Claim 21.
- n. With regard to Claim 30, see explanation in Claim 22.
- o. With regard to Claim 31, see explanation in Claim 23.
- p. With regard to Claim 32, see explanation in Claim 24.

- q. Referring to Claim 33, the combination of Courter and Hilton teaches wherein the single action input is used to step from one medical case to the next succeeding medical case (see figure 4 in Hilton "Change series" on the control panel is used to change the medical series, which is medical case herein).
- r. Referring to Claim 34, the combination of Courter and Hilton teaches wherein pointers are provided to indicate which medical case and which specified image of the ordered sequence of said preselected images is being currently viewed by a user (see presentation area 2 in figures 14b-14d in Hilton).
- s. Referring to Claim 35, the combination of Courter and Hilton teaches wherein the preprogramming control is activated via the user interface (the slide sorter is activated via the user interface).
- t. Referring to Claim 36, the combination of Courter and Hilton teaches storing the preprogramming ordered sequence and a user ID (the arranged order must be stored in order to present the slide show in the order, and the user ID is stored because usually the user, the creator of the slide show, records the name of the first slide of the presentation as the introduction slide, see figure 13.2 "stonebridge technical services").
- u. With regard to Claim 37, see explanation in Claim 33.
- v. With regard to Claim 38, see explanation in Claim 34.
- w. With regard to Claim 39, see explanation in Claim 35.

***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

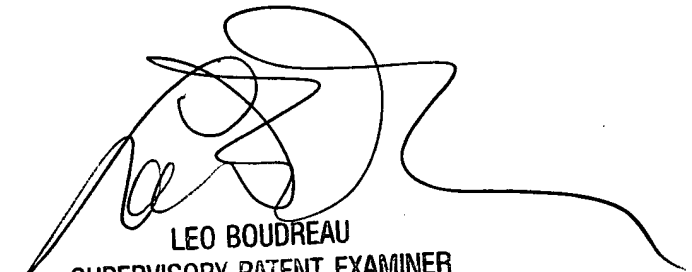
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom Y Lu whose telephone number is (703) 306-4057. The examiner can normally be reached on 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo H Boudreau can be reached on (703) 305-4706. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tom Y. Lu



LEO BOUDREAU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600